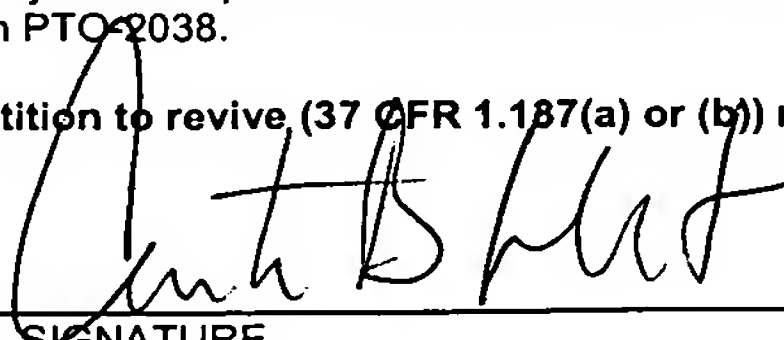


<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 3081.109US01
INTERNATIONAL APPLICATION NO. PCT/EP2003/008825		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/528235</b>
INTERNATIONAL FILING DATE 08 August 2003		PRIORITY DATE CLAIMED 18 September 2002
TITLE OF INVENTION METHOD FOR ENRICHING A PROKARYOTIC DNA		
APPLICANT(S) FOR DO/EO/US SCHMIDT, Karl-Hermann; STRAUBE, Eberhard and RUSSWURM, Stefan		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input checked="" type="checkbox"/> The US has been elected (Article 31).		
5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))		
a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).		
b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).		
6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).		
a. <input checked="" type="checkbox"/> is attached hereto.		
b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))		
a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).		
b. <input type="checkbox"/> have been communicated by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input checked="" type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information: Compact Disc Transmittal with 2 Identical CDs; Verified Statement with 9 pages of Sequence Listing, Copy of Front Page of Published PCT Application (WO 2004/033683 A1) and Copy of Int'l Search Reports mailed 17 February 2004.		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/528235</b>		INTERNATIONAL APPLICATION NO. PCT/EP2003/008825		ATTORNEY'S DOCKET NUMBER 3081.109US01	
The following fees have been submitted				<b>CALCULATIONS</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic national fee..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$ 200.00	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$ 400.00	
<b>TOTAL OF 21, 22 and 23 =</b>				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0	/50 =	x \$250	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 - 20 =	0	x \$ 50	\$ 0.00	
Independent claims	4 - 3 =	1	x \$200	\$ 200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 1,100.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				0.00	
<b>SUBTOTAL =</b>				\$ 1,100.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ 0.00	
<b>TOTAL NATIONAL FEE =</b>				\$ 1,100.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
<b>TOTAL FEES ENCLOSED =</b>				\$ 1,100.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,100.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>16-0631</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.187(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: HERBERT, Curtis B. Patterson, Thuent, Skaar & Christensen, P.A. 4800 IDS Center 80 South 8th Street Minneapolis, Minnesota 55402					
				SIGNATURE 	
				NAME Curtis B. HERBERT	
				NAME 45,443	
				REGISTRATION NUMBER	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PCT RECEIVING OFFICE (RO/US)

DT12 Rec'd PCT/PTO 18 MAR 2005

In re the application of:

Attorney Docket No.: 3081.109US01

SCHMIDT et al.

Application No.: *Not Yet Assigned*Filed: *Concurrently Herewith*

For: METHOD OF ENRICHING A PROKARYOTIC DNA

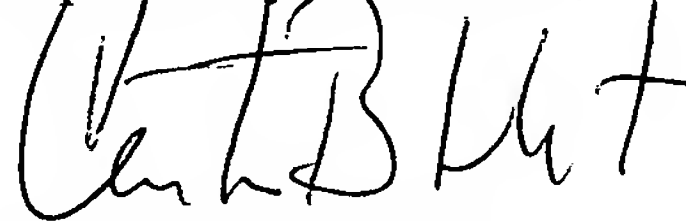
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SUBMISSION OF DOCUMENTSMail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Enclosed for filing in the above-identified application are the following documents:

1. Certificate of Express Mailing;
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 – 2 pages;
3. English Translation of the Application – 17 pages;
4. Executed Declaration and Power of Attorney – 3 pages;
5. Information Disclosure Statement and Form PTO-1449 – 3 pages;
6. Copies of 3 Cited References;
7. Preliminary Amendment – 7 pages;
8. Compact Disc Transmittal with 2 Identical CD Roms;
9. Verified Statement with 9 pages of Sequence Listing;
10. Front Page of PCT Publication No. WO 2004/033683 A1 – 1 page;
11. Copy of Int'l Search Reports mailed 17 February 2004 (4 pages);
12. Check in the amount of \$1,100.00; and
13. Return Postcard.

Respectfully submitted,



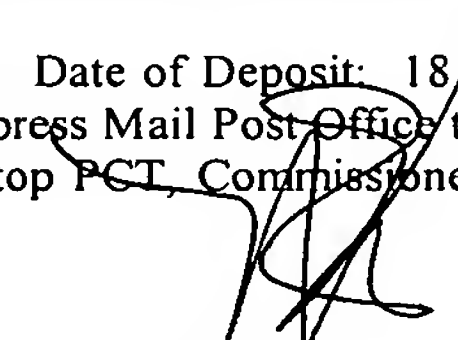
Curtis B. HERBERT

Registration No. 45,443

Patterson, Thunte, Skaar & Christensen, P.A.  
4800 IDS Center, 80 South Eighth Street  
Minneapolis, Minnesota 55402-2100  
(612) 349-3008

## CERTIFICATE OF EXPRESS MAIL

"Express Mail" mailing label number EV 494285490 US. Date of Deposit: 18 March 2005. I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mai Lee Vang  
Name of Person Making Deposit  
Signature

**COMPACT DISC TRANSMITTAL SHEET FOR  
SUBMISSION OF SEQUENCE LISTING AND/OR TABLES  
TO THE UNITED STATES RECEIVING OFFICE UNDER  
PCT ADMINISTRATIVE INSTRUCTIONS - PART 8***For Receiving Office Use Only***10/528235**

International Application Number

*For Receiving Office Use Only**For Receiving Office Use Only*

Date of transmission back to applicant

Date of receipt in RO/US

# CDs recvd.

**INTERNATIONAL APPLICATION DATA**Applicant: SCHMIDT et al.File Reference: 3081.109US01Title: METHOD OF ENRICHING A PROKARYOTIC DNA**APPLICANT'S CONTACT INFORMATION**Name of Contact: Curtis B. HerbertTelephone Number: 612-349-3008Facsimile Number: 612-349-9266**SEQUENCE LISTING FILE**Name of File (as per CD directory): 3081.109-US-01.txtSize of File (in bytes or kilobytes): 20 KBDate of File (as per CD directory): 18 March 2005**TABLES FILE(S) (use continuation box below if necessary)**

Name of File(s) (as per CD directory): \_\_\_\_\_

Size of File(s) (in bytes or kilobytes): \_\_\_\_\_

Date of File(s) (as per CD directory): \_\_\_\_\_

**STATEMENT**

I hereby certify that the four copies of the sequence listing part and/or the three copies of the tables part submitted herewith are identical.

Name of Person Signing: Curtis B. HERBERT (Reg. No. 45,443)

Signature of Applicant, Agent, or Common Representative: \_\_\_\_\_

**CONTINUATION OF TABLES FILE(S) (attach additional sheets if necessary)**